



FREMONT PLANNING BOARD

October 22, 2008

Meeting Minutes

Approved November 5, 2008

Present: Chairman Roger Barham, Co-Chair and CC Rep. Jack Karcz, John (Jack) Downing, Selectman Gene Cordes, Building Official Thom Roy, and Land Use AA/Recording Secretary Meredith Bolduc.

Member Salvatore Angelone joined the meeting at 7:50 pm.

RPC Circuit Rider David West could not attend tonight's meeting due to a scheduling conflict.

Mr. Barham opened the meeting at 7:30 pm.

RPC COMMISSIONER

Mr. Cordes reported that RPC Commissioner Peter Bearse came in after the Planning Board meeting had adjourned last week. He apologized for being late and reported to Mr. Cordes that the topics of the last RPC Commissioners meeting included; 1) workforce housing; 2) water resources supply and demand; and 3) transportation both short term and long term.

Mr. Bearse told Mr. Cordes that due to personal reasons and relocation he is no longer a Fremont resident and would issue his resignation as RPC Commissioner if that was required, but would be willing to continue in that capacity if needed and allowed.

MINUTES

Mr. Karcz made the motion to approve the minutes of the October 1, 2008 meeting as written. Motion seconded by Mr. Downing with unanimous favorable except for Mr. Cordes who abstained as he was not present at that meeting.

The minutes of September 24 and October 15, 2008 were not addressed as there were not enough Members present who were at those meetings. They will be addressed at the next meeting.

ENERGY

Mr. Cordes said that at last night's Energy Committee meeting there was a conversation relative to a draft allowed under the RSA 72:27 relative to property tax evaluation credit for certain types of energy improvements in residential housing. This must be adopted by the voters and the Energy Committee Members want to have it on the ballot for the 2009

vote. The Fremont Energy Committee, the Fremont Planning Board and the Board of Selectmen are interested in seeing a draft of such a warrant article for the 2009 Ballot. Mr. West will be asked if this is something he could produce for our review and, if so, would there be a fee involved for this assistance?

Mr. Cordes said that RPC has made Bob Larson aware of some grant money statewide that can be used to support local energy committees. The information will be forwarded to David West with a request that he advise the Board relative to what other towns are doing.

INCLUSIONARY HOUSING ORDINANCE

Mrs. Bolduc reported that via a phone conversation Mr. West said that he is submitting the application today to CTAP for funding for assistance to create an Inclusionary Housing Ordinance. He will bring the application to the November 5, 2008 Planning Board meeting (send it prior to that meeting) for signatures.

Barham stated that there is a forum on workforce housing at the Unital Headquarters this week that he and Mrs. Bolduc are scheduled to attend.

RPC = TARGETED BLOCK GRANT (TBG)

Mrs. Bolduc reported that she has received word from RPC that the Planning Board has been awarded the requested \$2,000 TBG grant for the creation of a Water Resource section of the Natural Resource Inventory Chapter of the Master Plan. The contract will be forwarded for signatures.

Mr. Karcz stated that the Conservation Commission would like to help with the update.

ROCKINGHAM ECONOMIC DEVELOPMENT CORPORATION

Maria Capello

Ms. Capello met with the Board to present information on economic development. Mr. Cordes explained that we have an area near exit 6 on Rt 101 that has been zoned for commercial use and we are looking for professional guidance for economic development of the area. Ms. Capello distributed a packet that included a disc that has the complete Comprehensive Economic Development strategy for Rockingham County, the Town of Fremont profile done by the State in August of 2007, and a PSNH publication on NH Economic Review.

There was a conversation relative to marketing techniques. It was noted that Fremont abuts land in the Town of Epping and not the Route 101 corridor or a secondary road, therefore there is no roadway that Fremont could control.

Ms. Capello related how the Town of Exeter implemented "Tax Increment Financing" which is mechanism that municipalities can use to fund infrastructure to support whatever the Town wants to support; industrial, commercial etc. she explained how the Town of Exeter used this mechanism to fund the deed easement for the right-of-way for the infrastructure for a future road so that when business wanted to come into the area it was

ready for development. Exeter went to the voters for a conditional bond approval for funding. Other options include land swaps or private development. Ms. Capello suggested making an overture to Epping to see if Epping is willing, and if it would be feasible, for the towns to get together to create a 2-town Tax Increment Financing (TIF) district.

Ms. Capello suggested obtaining a list of landowners and inviting them to an informal meeting to let them know what the Planning Board is thinking relative to economic development and for the Board to find out what the landowners are thinking. She said to talk to the abutting community and if there is a consensus of a plan, then do a feasibility study and see where a road can be constructed. Mr. Cordes asked about marketing and Ms. Capello suggested inviting some key commercial brokers in to show them the property (s), send out flyers and newsletters. The Department of Resources and Economic Development (DRED) could also get involved. She suggested having a workshop to bring in some brokers to do some fact-finding.

Mr. Cordes asked what the appropriate vehicle would be to orchestrate this kind of project. He explained that Fremont does not have a full-time planner on staff nor an Economic Development Committee. Ms. Capello agreed that it is a challenge and said that the REDC could not appoint someone for the project. She said that if you have something viable you might go after some grant money for management, in incremental steps. Mr. Cordes asked about using college interns and Ms. Capello said that it is a good idea if you get the right person.

Ms. Capello offered to attend meetings and/or help in any way she can. The Board thanked her for her time and she left the meeting at 8:25 pm.

JOHN GALLOWAY

Map 5 Lot 035

Present: John Galloway, Randy and Cindy Grasso

At 8:30 pm Mr. Galloway met with the Board relative to his recently approved Excavation Permit renewal for which one of the conditions was a change in hours of operation for Saturdays from 7 am – 5 pm to 9 am – 2 pm. He said that his original 1987 Excavation Permit allowed for his operating hours to be from 7 am to 5 pm Monday – Saturday with no hours on Sunday and that those have always been carried forth as his approved hours. Mr. Galloway said that he has a problem with his Saturday hours of operation being changed to 9 am to 2 pm. He stated that he is not operating on Saturdays now or in the recent past, but he does not want to lose the option to do so. Mr. Galloway said the he has no problem with any other conditions of the permit renewal.

Mr. Cordes said that at last week's meeting they understood from neighbors in attendance that there is excavation and truck traffic before 7:00 am on Saturdays. They also complained about the use of jake brakes in front of their house. Mr. Galloway said he understood there were complaints about trucking, but the hauling was not from the excavation site. He was doing a brief job in the town of Epping that was close by. Mr.

Galloway stated that if there is an event that the trucks would interrupt, he would be considerate and not truck that day, but he does have an issue with the Saturday hours change on the permit.

Mr. Grasso said that one Saturday morning one of the Galloway trucks went down the road to the excavation site. Mr. Galloway said that they may have gone to get the hydroseeder, but there has been no trucking from the site on Saturday. Mr. Grasso also said that some of the drivers have used the jake brake in front of his house. Mr. Galloway said that there is no need for the jake brake and he agreed to speak to the drivers about not using them. Mr. Cordes said that Mr. Galloway has been reasonable to work with and the Board agreed that the original operating hours could be reinstated. Mr. & Mrs. Grasso offered no objection. Mr. Galloway gave the Grasso's his contact information and asked them to contact him with any concerns.

Mr. Downing made the motion to amend the condition #6 (hours of operation) on the recently approved John Galloway Excavation Permit renewal to "from 7:00 am to 5:00 pm Monday – Saturday with no excavation operation on Sunday". Motion seconded by Mr. Karcz with unanimous favorable vote.

Mr. Galloway thanked the Board and left the meeting at 8:50 pm.

POINT OF ORDER

Mr. Angelone left the meeting at 8:50 pm.

EMERGENCY MANAGEMENT PLAN

Mr. Cordes reported that the Selectmen have been notified that Fremont was awarded a Department of Public Safety \$5,000 grant to fund the creation of an emergency plan. There was a general conversation relative to emergency evacuation.

PUBLIC HEARING

REGULATIONS AND MASTER PLAN CHAPTERS AMENDMENTS

Mr. Barham opened the Public Hearing at 9:05 pm and read the notice of the Public Hearing which was as follows:

In accordance with NH RSA 675:6 and 675:7, you are hereby notified that the Fremont Planning Board will hold Public Hearings on Wednesday October 22, 2008 at 7:30 p.m. in the downstairs Land Use Meeting Room of the Fremont Town Hall for amendments to the Fremont Excavation, Subdivision and Site Plan Review Regulations and to the Recreation, Community Facilities and Historic Resources Chapters of the Fremont Master Plan.

The full text of the proposed regulation amendments will be posted at the Fremont Town Hall, Library, Safety complex, and Post office and on file in the offices of the Fremont Selectmen, Planning/Zoning and Town Clerk and can be viewed during regular business hours.

Mr. Barham stated that this Public Hearing was posted on September 29, 2008 and noticed in the October 3, 2008 edition of the Rockingham News.

REGULATIONS:

Excavation Regulations

After careful consideration Mr. Karcz made the motion to approve the amendments to the Excavation Regulations as posted and as attached herewith.

The motion was seconded by Mr. Downing with unanimous favorable vote.

Chapter 1 Article 13-E : replace “or” with “*and in some cases stamped by a*” so the sentence would read “**All plans are required to be drawn by a Licensed Land Surveyor licensed in New Hampshire, and in some cases as determined by the Board, stamped by a NH Licensed Professional Engineer.**”

Site Plan Review Regulations

After careful consideration Mr. Karcz made the motion to approve the amendments to the Site Plan Review Regulations as posted and as attached herewith.

The motion was seconded by Mr. Downing with unanimous favorable vote.

Chapter 1 Article 13-E : replace “or” with “*and in some cases stamped by a*” so the sentence would read “**All plans are required to be drawn by a Licensed Land Surveyor licensed in New Hampshire, and in some cases as determined by the Board, stamped by a NH Licensed Professional Engineer.**”

Parking:

1.15-1 OFF-STREET PARKING

- A. In all districts, in connection with every manufacturing business, institutional, recreational, residential or any other use, there shall be provided, at the time any new building or structure is erected, off-street parking spaces for automobiles in accordance with the requirements set forth herein.
- B. Any change of use of a premise, or expansion of building size, to non-residential use and/or multi-family use, or to another substantially different non-residential use, or any expansion of the number of such multi-family or non-residential uses, shall provide off-street parking as required herein.
- C. Except that the Planning Board may grant reductions in required off-street parking spaces in conjunction with its site plan review if the applicant submits proposals for shared parking spaces or increases parking lot screening. The intent of this provision is to grant discretionary review authority to the Planning Board in order to promote the conservation of open space lands and increase parking lot buffers without increasing the use of on-street parking.
 - 1. Size and Access: Each off-street parking space shall be rectangular, nine feet by nineteen feet exclusive of access drives or aisles, and shall be of usable shape and condition.

PB Meeting Minutes 10-22-08

2. Number of Parking Spaces Required: The number of off-street parking spaces, to the extent of floor area devoted to each specific use, shall be as set forth in the Off-Street Parking Schedule 5.6.4.
3. Off-Street Parking: Off-street parking areas shall be screened from adjoining residential properties in accordance with Article 5.9.1 General Landscaping Regulations – Unenclosed Uses.

D. Off-Street Parking Schedule:

USE	REQUIRED PARKING SPACES
Boarding and Rooming Houses	1 for each sleeping room
Churches	1 for each 3.5 permanent seats
Community Buildings and Social Halls	1 for each 200 square feet of floor area
Dwelling Units	2 for each dwelling unit plus one (1) additional space for guest parking for each two (2) multi-family dwelling units.
Elderly Housing	1 for each dwelling unit
Healthcare District	2.8 spaces per bed for hospital. 4 spaces for each
1,000 sq. ft of out patient facilities (excluding storage, utility and maintenance areas). 5 spaces per 1,000 sq. ft of gross floor area for medical offices (excluding storage, maintenance and utility areas) 0.8 spaces for each nursing home bed. 3 spaces for each 2 living units for elderly housing with available healthcare facilities or services.	
Home Occupations	1 for each 200 square feet, or part of floor space used for home occupation
Manufacturing Plants, Research or Testing Laboratories	1 for each employee in the maximum working shift
Motels, Hotels	3 for each 2 units
Office	1 space for each 250 square feet of floor space
Professional/Tech Park	3 for each 1,000 sq. ft. of gross floor area
Restaurants, Bars and Night Clubs	1 for each three seats
Retail Stores, Store Groups, Shops, other than offices, etc.	1 space for each 200 square feet of floor space
Schools - Elementary and Junior High	1 for each 15 classroom seats
Schools - Senior High	1 for each 5 classroom seats
Schools - Private Dormitories	1 for each 4 beds
Theater	1 for each 3.5 seats
Wholesale Establishments or Warehouses	1 for each employee in the maximum shift; the total parking area shall not be less than 25 percent of the building floor area

- E. Off-Street Loading: In any district, in connection with every building, or building group or part thereof thereafter erected and having a gross floor area of over 4,000 square feet or more, which is to be occupied by manufacturing, or commercial uses or other uses similarly requiring the receipt or

distribution by vehicles of material or merchandise, there shall be provided and maintained, on the same lot with such building, off-street loading berths or unloading berths. The required number of loading/unloading berths shall be determined in accordance with the applicable terms of the 'Site Plan Review Regulations'.

Subdivision Regulations

After careful consideration Mr. Karcz made the motion to approve the amendments to the Subdivision Regulations as posted and as attached herewith.

The motion was seconded by Mr. Downing with unanimous favorable vote.

Article III Section 2-B: delete "registered Professional Engineer and/or" in sentence #1; and delete "The requirement for a Professional Engineer shall apply to" in sentence #2; and add to the end of the sentence "*shall be signed and stamped by a NH Registered Professional Engineer*".

The section would then read **"Subdivision plans shall be prepared, stamped, and signed by a Licensed Land Surveyor licensed in New Hampshire. All plans showing roadways, utilities, bridges and culverts, plus drainage and other construction plans shall be signed and stamped by a NH Licensed Professional Engineer". In specific cases, the Board may waive the requirement for a Professional Engineer in accordance with Article IX Section 3, Waivers.**

MASTER PLAN CHAPTER AMENDMENTS

After careful consideration Mr. Karcz made the motion to approve the amendments to the Community Facilities, Historic Resources and Recreation Chapters of the Master Plan as posted and as attached herewith.

The motion was seconded by Mr. Downing with unanimous favorable vote.

Completed copies of the amended Recreation, Historic Resources and Community Facilities Chapters of the Fremont Master Plan will be posted at the Fremont Post Office and Town Hall for a period of thirty (30) days.

Mr. Karcz made the motion to close this Public Hearing at 9:10 pm.

The motion was seconded by Mr. Downing with unanimous favorable vote.

ZONING ORDINANCE AMENDMENTS

Mr. Roy suggested the following Zoning Ordinance amendments.

Article IV Section 3-A

As it relates to Article IV Section 3 and Article XI Section E-1; where-ever mixed uses of residential and commercial are proposed on the same lot the minimum lot size shall be further determined in that each 3000 square feet of commercial use shall constitute a calculate-able unit for the purpose of determining the minimum lot size.

Mr. Roy said that this would place a density requirement on the commercial portion of a mixed use property. Currently the zoning requires acreage and frontage calculations for

the residential use of a property, but does not have additional density control for the commercial portion. There was a discussion relative to the existing calculation for residential and for commercial use of a property. There was a general feeling that additional acreage should be required for multi-use properties. No decisions were made.

Article XIII 1.5

As it relates to Article IV Sections 1, 2 and 3 and as to Article XI Section E-1 the density requirements shall be reduced by 50%. This provision is to be applied to existing buildings only. There was a discussion relative to this suggestion. No decisions were made.

SEACOAST FARMS

Map 5 Lot 035

The Board received an October 21, 2008 offsite odor complaint from Randy Grasso relative to the Seacoast Farms Compost operation on Shirkin Road that was logged by Code Enforcement/Building Inspector Thom Roy.

Mr. Roy said that he sent the complaint to Mr. Kelly and to the State. Mr. Kelly was upset that the complaint was filed with the State. Mr. Roy said that there are far fewer complaints than there were a couple of years ago and Mr. Kelly is doing a reasonably good job with the site however, the windrows are wider and higher than the operation plan indicates.

BUDGET

The Board received a copy of the general ledger expenditure report as of October 16, 2008.

GOVERNORS' FOREST

Mr. Cordes reported that the last Selectmen's meeting Mr. Ferwerda's bonds were not received. The recent Excavation Permit Renewal was issued with a condition that the reclamation bond be in place by September 19, 2008.

CORRESPONDENCE

1. A copy of a September 17, 2008 Irrevocable Letter of Credit from Banknorth to Daniel Perry Builders, road bond for Thunder Road.

Mr. Karcz made the motion to adjourn at 10:00 pm.
Motion seconded by Mr. Downing with unanimous favorable vote.

Respectfully submitted,
Meredith Bolduc, Land Use AA/Recording Secretary.

